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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,174	03/17/2006	Jean Beguinot	Q87983	2367
23373 7590 05/03/2010 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER YANG, JIE				
ART UNIT		PAPER NUMBER		
1793				
NOTIFICATION DATE		DELIVERY MODE		
05/03/2010		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
1053174	3/17/2006	BEGUINOT ET AL.	Q87983

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## EXAMINER

JIE YANG

ART UNIT	PAPER
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1793

20100426

DATE MAILED:

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Commissioner for Patents

The reply brief filed 4/1/2010 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

In the "Reply Brief" filed on 4/1/2010, the Applicant correctly pointed out the typo errors in the composition comparison tables of the Examiner's answer marked 2/1/2010 related to the nitrogen concentration. Both US'233 and WO'396 do not intentionally adding nitrogen in the alloy (Table in summary and claims 1-5 of US'233; Table A and claims 1-5, and 8-12 of WO'396) and the corrected nitrogen ranges are listed as following. The trace amount N is within the claimed range of 0.025wt%N or less as recited in the insatnt claim 1. Therefore, the typo errors in the composition comparison tables of the Examiner's Answer do not affect the overlapping composition discussions in the Examiner's answer. The Examiner still maintains the rejection for claims 1-5 under 35 U.S.C. 103(a) as being unpatentable over Vander Voort (US 4,171,233, thereafter US'233) or Bhadeshia et al (WO 96/22396, thereafter WO'396) as discussed in the Examiner's Answer marked on 2/1/2010.

The following N range replace the N range in table of page 4 of the Examiner's Answer marked on 2/1/2010:  
Element From instant Claim 1(in wt%) US'233 (Table in summary) in wt% Overlapping range (in wt%)  
N 0-0.025 Trace amount Trace amount

The following N range replace the N range in table of Page 6 of the Examiner's Answer Marked on 2/1/2010:  
Element From instant Claim 1(in wt%) WO'396 (Table A, claims, in wt%) Overlapping range (in wt%)  
N 0-0.025 Trace amount Trace amount

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jie Yang whose telephone number is 571-2701884. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-2721244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Gregory L Mills/

/Jie Yang/

Supervisory Patent Examiner, Art Unit 1700